

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

**Duplicate []
(check, if applicable)**

Commissioner for Patents
MAIL STOP PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No. 057616-5001-03
First Named Inventor: Darwin Prockop
Express Mail No.: EV 164949351US
Total Pages of Transmittal Form: 2

Transmitted herewith for filing is the non-provisional utility patent application entitled:

ISOLATED STROMAL CELLS AND METHODS OF USING THE SAME

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)
of U.S. Application No. 10/423,232, filed April 25, 2003, which is a continuation of U.S.
Application No. 08/913,918 filed December 8, 1997, which is a continuation of PCT/US96/04407,
filed March 28, 1996, which is a continuation-in-part of U.S. Application No. 08/412,066, filed
March 28, 1995 (now U.S. Patent No. 5,716,616), and which claims priority to U.S. Provisional
application No. 60/066,627, filed November 13, 1995.

☐ This non-provisional patent application is based on Provisional Patent Application No. _____, filed
_____.

Enclosed are:

- ☒ Copy of Specification (including Abstract) and claims: 58 pages.
- ☐ Application Data Sheet.
- ☐ Newly executed/unexecuted Declaration (original/copy).
- ☒ Copy of Declaration from prior application.
- ☐ Copy of Revocation and Power of Attorney filed in Parent
Application No. _____.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ Copy of 2 sheets of original (formal) drawings as filed in prior Patent Application No.
10/423,232 filed April 25, 2003.
- ☐ Microfiche computer program (Appendix).
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement.
- ☐ Please transfer the diskette version of the Sequence Listing from Parent Application No.
_____ to the present application.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Thomas Jefferson University. The Assignment for the present
application was recorded on December 8, 1997 and can be found at real and frame
8843/0562.
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
☐ herewith or ☐ in prior application.

- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☒ Preliminary Amendment.
- ☒ Information Disclosure Statement and PTO-1449. Copies of the references cited are not included as they have been filed or cited in the parent application no. 08/913,918 and prior application no. 10/423,232.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$385			\$770	
Total	23 - 20 =	3	X9	\$27.00	OR	X18	\$
Independent	3 - 3 =	0	X43	\$0	OR	X86	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR	\$280	\$
			TOTAL	\$ 412.00	OR	TOTAL	\$

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 057616-5001-03)** as noted below.
- ☐ Any overpayments or deficiencies in the above-calculated fee.
- ☒ Filing fee in the amount of **\$ 412.00** as calculated above.
- ☐ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

Respectfully submitted,

DARWIN PROCKOP, ET AL.

FEBRUARY 26, 2004
(Date)

By: Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4723
Facsimile: (877) 432-5001
E-Mail: kdoyle@morganlewis.com
Attorney for Applicants

☒ Customer Number or Bar Code Label: **028977**
KD/QDN/jls
Enclosures